

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In Re: : Case No. 11-62751  
Jennifer Pelletier, : Chapter 13  
Debtor(s) : Judge Hoffman

**DEBTOR'S MOTION TO MODIFY POST-CONFIRMATION**

Debtor, by and through her counsel, hereby moves to modify her Chapter 13 plan.  
Debtor respectfully requests that the modification be granted for reasons more fully set forth in  
the Memorandum below.

Respectfully submitted,

/s/Brian D. Wood  
Brian D. Wood (0075190)  
W. Mark Jump (0062837)  
Attorneys for Debtors  
2130 Arlington Ave.  
Columbus, Ohio 43221  
(614) 481-4480  
[bwood@jumplegal.com](mailto:bwood@jumplegal.com)

**MEMORANDUM IN SUPPORT**

On March 21, 2012, Debtor's Chapter 13 plan was confirmed. Pursuant to the Debtor's Chapter 13 plan, Debtor was required to make payments of \$500.00 per month for the duration of the plan. The unsecured dividend is twenty eight percent (28.00%). Debtor's plan has not previously been modified.

Debtor's plan is projecting to longer than the maximum sixty (60) months in violation of 11 U.S.C. § 1322(d) due to an arrearage caused by an issue with the Debtor's wage order. Debtor's insurance and payroll taxes have increased. Therefore, the Debtor would like to reduce her plan payment to \$425.00 per month for the remainder of the plan beginning July 2013 to account for the increase in her payroll deductions. The dividend paid to unsecured creditors shall decrease to eighteen percent (18.00%) as a result of the reduction in income. Additionally, the monthly adequate protection payment to Huntington Bank shall be reduced to \$400.00 per month. Debtor shall make plan payments in the amount set forth in this Plan for no less than the applicable commitment period, but not to exceed 60 months.

The proposed modification will modify the rights of the holders of unsecured claims being dealt with under the plan in that the amount paid to unsecured creditors will be decreased. The modification will modify the rights of Huntington Bank in that the amount of their monthly payment will be reduced. The proposed modification will not modify the rights of any other secured claim holder. The proposed modified plan is attached hereto and a copy of the same, together with a copy of this Motion and Memorandum of Support has been sent to the Chapter 13 Trustee, US Trustee, and holders of all claims.

**WHEREFORE**, the Debtor prays she be permitted to amend the plan to conform to the attached amended plan pursuant to 11 USC Section 1329.

/s/Brian D. Wood

Brian D. Wood (0075190)

W. Mark Jump (0062837)

Attorneys for Debtors

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Columbus, Ohio 43221

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**AMENDMENT TO CONFIRMED CHAPTER 13 PLAN**

**Now come the Debtors herein to amend the plan to state:**

Debtor's plan payment shall be reduced to \$425.00 per month for the remainder of the plan beginning in July 2013. The monthly adequate protection payment to Huntington Bank shall be reduced to \$400.00 per month beginning in July 2013. The general unsecured dividend shall decrease to eighteen percent (18.00%). Debtor shall make plan payments in the amount set forth in this Plan for no less than the applicable commitment period, but not to exceed 60 months.

**Dated: 7/1/2013**

**/s/ Brian D. Wood  
Attorney for Debtors**

**Debtor's Verification**

I declare under penalty of perjury that I have read the attached amendments and that they are true and correct to the best of my knowledge, information or belief.

Date: 6/26/2013

/s/Jennifer Pelletier  
Debtor

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**NOTICE OF MOTION/OBJECTION**

The Debtor has filed papers with the Court to modify her plan. **Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the motion/objection, then on or **before twenty-one (21) days from the date set forth in the certificate of service for the motion/objection**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to 170 North High St., Columbus, OH 43215, or your attorney must file a response using the court's ECF System.

The court must **receive** your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to;

Brian D. Wood, 2130 Arlington Ave, Columbus, OH 43221

Jeffrey P. Norman, Chapter 13 Trustee, One Columbus, 10 West Broad St., Suite 900 Columbus, OH 43215-3449

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion/objection and may enter an order granting that relief without further notice or hearing.

**CERTIFICATE OF SERVICE**

I hereby certify that on July 1, 2013 a copy of the foregoing Motion to Modify Plan Post-Confirmation was served on the following registered ECF participants, electronically, through the court's ECF system at the email address registered with the court or via ordinary US mail:

/s/Brian D. Wood  
Brian D. Wood (0075190)  
W. Mark Jump (0062837)  
Attorneys for Debtors  
2130 Arlington Ave.  
Columbus, Ohio 43221  
(614) 481-4480  
[bwood@jumplegal.com](mailto:bwood@jumplegal.com)

**Served Electronically:**

Jeffrey P. Norman, Chapter 13 Trustee

Office of the US Trustee

Mary E. Krasovic, counsel for Fifth Third Mortgage Company

W. Mark Jump, counsel for Jennifer R. Pelletier

Beth Ann Schenz, counsel for The Huntington National Bank

**Served via Regular Mail:**

See Attached Creditor Matrix